

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**GREGG K. SILVERS and WHITE HORSE
RANCH, INC.,**

Plaintiffs,

v.

**BLUE CROSS BLUE SHIELD OF
TEXAS and MAGELLAN HEALTHCARE,**

Defendants.

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Case No.: 4:17-cv-731-KPJ

ORDER OF DISMISSAL

Before the Court is Plaintiffs Gregg K. Silvers and White Horse Ranch, Inc. (“Plaintiffs”) and Defendants Blue Cross Blue Shield of Texas and Magellan Healthcare’s (“Defendants”) (collectively, the “Parties”) Joint Stipulation of Dismissal with Prejudice (the “Stipulation”) (Dkt. 66). In the Stipulation, the Parties request that this case be dismissed in its entirety with prejudice, and with each party bearing their fees and costs. *See* Dkt. 66.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of order of dismissal is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 6th day of September, 2018.

A handwritten signature in black ink, appearing to read 'K. Priest Johnson', written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE